

REMARKS

This application has been carefully reviewed in light of the Office Action of May 2007. Claims 1, 2, 4-12 and 14-39 are presented for examination. Claims 1, 4, 6, 8, 10, 12, 14, 16, 18-21, 34, 36 and 38 (the independent claims) have been amended to define still more clearly what Applicant regards as his invention; the changes made address the rejections under 35 U.S.C. § 112; nonetheless, these changes are not intended to narrow the scope of any claim element, and are presented only to clarify the claim language, and in particular to ensure the presence of proper antecedent basis. Favorable reconsideration is requested.

In the outstanding Office Action, Claims 34-39 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner considers the phrase “the number of images” in line 5 of Claim 34 to be indefinite. This phrase has been amended to ensure proper antecedence. Applicant notes, additionally, that in the claims, the “number of images” referred to, is the number of images of associated data, including image data itself but also including identification data of that image data, to be displayed on the image reception device (that is, the claims do not require that an actual count of stored images be made, but encompass a determination of the number of stored images in any way whatever). Moreover, it should be understood that the “number of images” referred to is the number of partial images, in a case where such are displayed, rather than the total number of images that might be present.

It is believed that the rejection under Section 112 has been obviated, and its withdrawal is respectfully requested.

Claims 1, 4, 6-8, 10, 12, 14, 16 and 18-33 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication 2002/0051181 (Nishimura). In addition, Claims 2, 11 and 15 were rejected under 35 U.S.C. § 103(a) as being obvious from *Nishimura* in view of U.S. Patent 6,313,877 (Anderson), Claims 5, 9 and 17, as being obvious from *Nishimura* alone, and Claims 34-39, as being obvious from *Nishimura* in view of Japanese Laid-Open Patent Application 06-233044 (Tanaka).

Applicant notes that the U.S. filing date of *Nishimura*, April 21, 2001, is after the March 11, 2001, priority date of the present application. Applicant has already submitted a certified copy of his priority application (JP application 2001-081232), and submits herewith a sworn translation of same. Applicant submits that the present claims are clearly supported by their priority application (see, in particular, paragraphs [0074] and [0094]). Accordingly, *Nishimura* is not prior art against this application, and withdrawal of the outstanding prior-art rejections is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Leonard P Diana/

Leonard P. Diana
Attorney for Applicant
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200